

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Gregory Ashley Moyer,

Civ. No. 23-138 (JWB/LIB)

Plaintiff,

v.

Shon Jackson, *KAES Security Compliance Safety and Security Manager*, and Koch Industries, Inc,

**ORDER ACCEPTING  
REPORT AND RECOMMENDATION  
OF MAGISTRATE JUDGE**

Defendants.

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The above matter is before the Court on the Report and Recommendation (“R&R”) of United States Magistrate Judge Leo I. Brisbois dated August 2, 2023. (Doc. No. 71.) No objections have been filed to that R&R in the time permitted. In the absence of timely objections, the Court reviews an R&R for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996). Having reviewed the R&R, the Court finds no clear error.

Based on the R&R of the Magistrate Judge, and on all of the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. The August 2, 2023 Report and Recommendation (Doc. No. 71) is **ACCEPTED**;
2. Defendants’ Motion to Dismiss (Doc. No. 6) is **GRANTED** because the Court lacks personal jurisdiction over Defendants and the matter is **DISMISSED WITHOUT PREJUDICE**;

3. Plaintiff's Motion to Preserve Evidence (Doc. No. 17) is **DENIED AS MOOT**; and

4. Plaintiff's Motion to Strike (Doc. No. 23) is **DENIED AS MOOT**.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Date: August 22, 2023

*s/Jerry W. Blackwell*  
JERRY W. BLACKWELL  
United States District Judge